

<small>FORM PTO 1390 (REV 5-93)</small> <small>US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</small>		<small>ATTORNEY DOCKET NUMBER</small> 2005_1013A
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. §371		<small>U.S. APPLICATION NO.</small> <small>(if known, see 37 CFR 1.3)</small> 10/540,254
International Application No. PCT/EP2004/005268	International Filing Date May 17, 2004	Priority Date Claimed May 19, 2003
Title of Invention METHOD FOR THE PRODUCTION OF A STABLE INJECTABLE FORMULATION MADE OF DIFFICULT TO DISSOLVE ANTINEOPLASTIC ACTIVE SUBSTANCES		
Applicant(s) For DO/EO/US Gerhard EIDENHAMMER and Heinz SCHNAIT		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. §371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. §371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1). 4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. §371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. §371(c)(2)). ATTACHMENT E 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)). <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19. 9. <input checked="" type="checkbox"/> An executed oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)). ATTACHMENT F 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)). 		
Items 11. to 14. below concern other document(s) or information included:		
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> A Letter Re: Information Disclosure Statement under 37 CFR 1.97 and 1.98. ATTACHMENT G 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 		
ATTACHMENT H		
<ol style="list-style-type: none"> 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. ATTACHMENT I <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 		
<ol style="list-style-type: none"> 14. <input type="checkbox"/> Other items or information: 		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/540,254	INTERNATIONAL APPLICATION NO. PCT/EP2004/005268	ATTORNEY'S DOCKET NO. 2005_1013A	
15. [X] The following fees are submitted		CALCULATIONS	PTO USE ONLY
Basic National Stage Fee \$300.00 National Stage Search Fee \$500.00 National Stage Examination Fee \$200.00 Specification/drawings in excess of 100 pages (units of 50 x \$250.00) = \$ ENTER APPROPRIATE BASIC FEE AMOUNT =		\$0	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). Claims Number Filed Number Extra Rate Total Claims 11 -20 = 0 X \$50.00 \$ Independent Claims 1 - 3 = 0 X \$200.00 \$ Multiple dependent claim(s) (if applicable) + \$360.00 \$ TOTAL OF ABOVE CALCULATIONS =		\$0	
<input type="checkbox"/> Small Entity Status is hereby asserted. Above fees are reduced by 1/2. SUBTOTAL =		\$0	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). TOTAL NATIONAL FEE =		+ \$0	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + TOTAL FEES ENCLOSED =		\$40.00	
		Amount to be refunded	\$
		Amount to be charged	\$
a. [X] A check in the amount of \$40.00 to cover the above fees is enclosed. A duplicate copy of this form is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 23-0975 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-0975</u> .			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.			
19. CORRESPONDENCE ADDRESS CUSTOMER NO. 000513		By: <u>Matthew M. Jacob</u> Matthew M. Jacob, Registration No. 25,154 WENDEROTH, LIND & PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone:(202) 721-8200 Fax:(202) 721-8250	

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August 17, 2005

[CHECK NO. 69737

[2005 1013A]

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

TRANSLATOR'S DECLARATION

Assistant Commissioner for Patents,
Washington, D.C.

Sir:

I, Sigrid Sommerfeldt, hereby certify:

That I am thoroughly familiar with the German and English languages; and

That I am competent to serve as a translator of German documents into English;

That the attached document represents a true English translation of PCT/EP2004/005268

filed May 17, 2004.

Signed this 6th day of August, 2005.



Sigrid Sommerfeldt